

ENTERED

August 04, 2023

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL ACTION NO. H-18-199-5
	§	
LEATRICE MALIKA DE BRUHL-DANIELS	§	

ORDER

Pending before the Court is defendant's *pro se* motion for a compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). (Docket Entry No. 568.) The Court notes, however, that defendant's appeal of her underlying conviction remains pending before the United States Court of Appeals for the Fifth Circuit. *United States v. De Bruhl-Daniels*, No. 22-20650 (5th Cir.). This Court lacks jurisdiction over defendant's motion because she asks the Court to reduce her sentence, a matter over which the Fifth Circuit currently has jurisdiction. *See United States v. Lucero*, 755 F. App'x 384, 387 (5th Cir. 2018) (per curiam).

The motion for a compassionate release (Docket Entry No. 568) is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction pending disposition of defendant's pending appeal. The Court expresses no opinion as to the merits, if any, of defendant's motion.

Signed at Houston, Texas, on August 3, 2023.



 Gray H. Miller
 Senior United States District Judge